

of the United States, the President of the Senate of the Congress of the United States, the Speaker of the House of Representatives of the Congress of the United States, and to each member of Congress from the State of Colorado.

"MARK A. HOGAN,  
"President of the Senate.  
"COMFORT W. SHAW,  
"Secretary of the Senate.  
"JOHN D. VANDERHOFF,  
"Speaker of the  
"House of Representatives.  
"HENRY C. KIMBROUGH,  
"Chief Clerk of the  
"House of Representatives."

A resolution of the District of Columbia Council, Washington, D.C., praying for enactment of legislation to provide for representation of the citizens of the District of Columbia in the Congress; to the Committee on the Judiciary.

A petition signed by Ohio Bell, of Chicago, Ill., praying for a redress of grievances; to the Committee on the Judiciary.

### BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. BROOKE:

S. 3127. A bill for the relief of Antonio Guardino; to the Committee on the Judiciary.

By Mr. MONDALE:

S. 3128. A bill to amend the Housing Act of 1949 to provide interim assistance for blighted areas;

S. 3129. A bill to authorize the Secretary of Housing and Urban Development to extend assistance under certain programs relating to the repair and rehabilitation of housing to certain areas other than areas in which urban renewal projects or programs of concentrated code enforcement activities are being carried out;

S. 3130. A bill to amend section 116 of the Housing Act of 1949, to authorize grants for demolition of nonresidential structures that are harborage or potential harborage of rats; and

S. 3131. A bill to amend section 110(c) of the Housing Act of 1949 to broaden the permissible uses of air rights sites acquired in connection with urban renewal projects; to the Committee on Banking and Currency.

(See the remarks of Mr. MONDALE when he introduced the above bills, which appear under a separate heading.)

By Mr. JACKSON (for himself, Mr. LAUSCHE and Mr. NELSON):

S. 3132. A bill to provide for the cooperation between the Secretary of the Interior and the States with respect to the future regulation of surface mining operations, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. JACKSON when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S. 3133. A bill to extend for 2 years the authority for more flexible regulation of maximum rates of interest or dividends, higher reserve requirements, and open market operations in agency issues; to the Committee on Banking and Currency.

(See the remarks of Mr. SPARKMAN when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 3134. A bill to facilitate equipment interchange between and among the several modes of transportation; and

S. 3135. A bill to amend the Communications Act of 1934 by extending the authoriza-

tion of appropriations for the Corporation for Public Broadcasting; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills which appear under separate headings.)

By Mr. BREWSTER:

S. 3136. A bill for the relief of Chou Fuk, Chou Wu Ming, Pang Hing Tam, Mui Tai, Chung Lai, Fui Ip, Cheong Pang, Pong Kam Ng, and Kwan Tse Pun; to the Committee on the Judiciary.

By Mr. HANSEN:

S. 3137. A bill to impose quotas on the importation of lamb meat; to the Committee on Finance.

(See the remarks of Mr. HANSEN when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH:

S.J. Res. 151. Joint resolution designating the month of May 1968 as "National Airmail Golden Anniversary Month"; to the Committee on the Judiciary.

### S. 3128, S. 3129, S. 3130, AND S. 3131— INTRODUCTION OF BILLS TO MAKE EXISTING HOUSING PRO- GRAMS MORE RESPONSIVE TO LOCAL NEEDS

Mr. MONDALE. Mr. President, today I am introducing four bills designed to make existing housing programs more responsive to local needs. These bills call for no additional expenditures, rather they represent minor, yet necessary modifications which will present communities with adequate tools to deal with local problems.

The four bills would first provide interim assistance to blighted areas, which will permit a community to finance emergency projects in a neighborhood which will be an urban renewal or code enforcement area in the near future; second, extend the rehabilitation grant and loan programs to these neighborhoods to begin the immediate upgrading of the neighborhood instead of waiting for months while the application for Federal funds goes through one review after another; third, expand the demolition program to include nonresidential buildings which are rat harborages or potential rat harborages; and fourth, extend the acceptable uses of air rights under urban renewal legislation to include air rights for the construction of educational facilities and other uses deemed appropriate by the Secretary of Housing and Urban Development.

Mr. President, I feel that much of our urban legislation has been drafted in a restrictive form in the past. This should not be the case. Legislation is needed to make Federal aid programs more flexible and more readily available to help communities meet emergency situations.

These four bills are a start in remolding our present programs. Mr. President, I would like to summarize the need for each of the bills I am introducing.

#### INTERIM ASSISTANCE TO BLIGHTED AREAS

This bill would permit a community to take interim steps to alleviate harmful conditions in any slum or blighted area which is planned for clearance, rehabilitation, or code enforcement in the near future, but which needs some immediate action until the community's plan is approved by the Federal Government.

In 1949 Congress enacted urban renewal legislation designed to clear slums and provide adequate housing for all American families. Beginning in 1954 Congress recognized that the urban renewal program should not merely concentrate on clearance but should also emphasize neighborhood rehabilitation and conservation to avoid the necessity of clearance at a later date. Presently, there are two programs, rehabilitation and code enforcement, designed to assist communities fight blight without total clearance and the ensuing disruption to community life.

Yet all three programs, clearance, rehabilitation and code enforcement have the problem of not being quick responses to the needs of the residents of the neighborhoods. There is a time lag between the announcement that a community will take action in a neighborhood and the actual beginning of work. It is during this time lag that the supply of credit in the neighborhood ends, that there are no community improvements and that there is further deterioration. This is particularly significant if the neighborhood is scheduled for conservation; the time lag may result in changing a neighborhood from one which can be saved into one which must be cleared.

It is difficult to explain to the residents of a neighborhood that action must be delayed a year while the application is reviewed and re-reviewed. This bill, if enacted, would permit the community to implement some of the needed neighborhood improvement. This in turn would convince the residents that the community is not procrastinating. These improvements would serve as visible proof that the community is committed to the overall upgrading of the neighborhood.

This bill would provide the Federal assistance would be available—under the same provisions as the urban renewal formula—to cover the cost of emergency projects needed in the neighborhood. Such activities could include—

First, repairing serious deficiencies in streets, sidewalks, and other public property;

Second, improving private property if it is a menace to public health;

Third, demolishing buildings when they endanger public health;

Fourth, establishing temporary playgrounds; and

Fifth, improving public services to the residents of the neighborhood.

Mr. President, this is not a new, expensive scheme but is merely a means for a community to demonstrate its concern for a neighborhood without waiting for the endless process of review to be completed. Last year, the Senate Banking and Currency Committee approved similar legislation in S. 2700 to provide such interim assistance to urban renewal areas which would eventually be cleared. This bill extends this principle to rehabilitation and code enforcement areas where the need for immediate results is even greater. It is my hope that this bill will be included in the omnibus housing bill reported out of the committee this session.

## INTERIM REHABILITATION AID

My second bill is an extension of this interim assistance principle. It will allow a community to implement the special rehabilitation aid programs in neighborhoods scheduled for rehabilitation or code enforcement, but not yet approved for such activity by the Federal Government.

At the present time, there are three special rehabilitation programs, which can only operate in a federally approved rehabilitation or concentrated code enforcement program.

First, there is a direct loan program—section 312—for rehabilitation. This program provides 3-percent loans for improving residential and nonresidential property. Second, there is a direct rehabilitation grant program—section 115—which provides direct grants of up to \$1,500 for rehabilitating owner-occupied dwellings where the family income is below \$3,000 a year. Third, there is an FHA insurance program—section 220(h)—which can be used to insure acceptable risk loans made for property improvement in single family and multifamily dwellings.

Mr. President, one possible criticism of this interim approach could be that the rehabilitation activities might occur in an unplanned fashion and contrary to the community's objections. However, this legislation contains certain requirements that must be met before the community can proceed with this interim rehabilitation aid. They are:

First. The governing body of the community must determine that the neighborhood contains a substantial number of structures in need of rehabilitation.

Second. The community must have in effect a workable program meeting the requirements of the Housing Act of 1949.

Third. The property is in need of rehabilitation.

Fourth. The rehabilitation of this property is consistent with the community's plan for rehabilitation or code enforcement.

Thus this bill would extend these invaluable aids to neighborhoods which will be approved for rehabilitation in the near future. This extension is needed to assist a community to improve the living conditions for its residents. Why should we limit such assistance to areas approved by the Federal Government when the need for this help may be greater in another neighborhood but this neighborhood's application is stuck somewhere in the endless review process?

## DEMOLITION GRANTS

My third bill would amend the demolition grant program to authorize grants for demolition of nonresidential structures that constitute harborage or potential harborage for rats.

In 1965 Congress established a program of grants to aid communities in destroying unsafe residential structures. This legislation has been most helpful in eliminating dwellings unfit for human habitation.

However, these grants are limited to residential structures and cannot be used by a community in a comprehensive program aimed at rat extermination if the rat harborage is nonresidential struc-

tures. This bill would amend the 116 demolition program and permit the demolition of nonresidential property if there is a systematic rodent control program underway in the neighborhood, and if the building is a harborage or potential harborage of rats.

This is needed legislation; it has been specifically endorsed by the cities of Detroit, Philadelphia, and Chicago. These communities recognize that the rats are located in garages, sheds and outbuildings. This bill would permit the destruction of these dwellings and the eradication of the rodents.

## AIR RIGHTS

My fourth bill would broaden the uses of air right sites acquired in connection with an urban renewal project. In 1964 air right sites were included as an eligible part of an urban renewal project, but these sites were limited to housing for low and moderate income housing. In 1966 the use of air rights was extended to industrial projects.

This bill would extend the use of air rights for educational facilities, and would permit the Secretary to allow other uses as he deems appropriate. This legislation will give a community more flexibility in planning for projects to be included in an urban renewal program.

Mr. President, I ask unanimous consent that these four bills be printed in the RECORD at this point.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the RECORD.

The bills, introduced by Mr. MONDALE, were received, read twice by their titles, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

## S. 3128

A bill to amend the Housing Act of 1949 to provide interim assistance for blighted areas

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That title I of the Housing Act of 1949 is amended by adding at the end thereof a new section as follows:

## "INTERIM ASSISTANCE FOR BLIGHTED AREAS

"SEC. 118. Notwithstanding any other provision of this title, the Secretary is authorized to enter into contracts to make, and to make, grants as provided in this section (payable from any grant funds provided under section 103(b)) to cities, other municipalities, and counties for the purpose of assisting such localities in carrying out programs to alleviate harmful conditions in slum and blighted areas which are planned for substantial clearance, rehabilitation, or federally assisted code enforcement in the near future but in which some immediate public action is needed until clearance, rehabilitation or code enforcement activities can be undertaken. Such grants shall not exceed two-thirds (or three-fourths in the case of any city, other municipality, or county having a population of 50,000 or less according to the most recent decennial census) of the cost of planning and carrying out programs which may include (1) the repair of streets, sidewalks, parks, playgrounds, publicly owned utilities, and public buildings to meet needs consistent with the short-term continued use of the area prior to the undertaking of the contemplated clearance or upgrading activities, (2) the improvement of private properties to the extent needed to eliminate the most immediate dangers to

public health and safety, (3) the demolition of structures determined to be structurally unsound or unfit for human habitation and which constitute a public nuisance and serious hazard to the public health and safety, (4) the establishment of temporary public playgrounds on vacant land within the area, and (5) the improvement of garbage and trash collection, street cleaning, and similar activities through the employment of otherwise unemployed or underemployed residents of the area. The provisions of sections 101(c), 106, and 114 shall be applicable to activities and undertakings assisted under this section to the same extent as if such activities and undertakings were being carried out in an urban renewal area as part of an urban renewal project."

## S. 3129

A bill to authorize the Secretary of Housing and Urban Development to extend assistance under certain programs relating to the repair and rehabilitation of housing to certain areas other than areas in which urban renewal projects or programs of concentrated code enforcement activities are being carried out

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 312(a) of the Housing Act of 1964 is amended to read as follows:

"SEC. 312. (a) The Secretary is authorized, through the utilization of local public and private agencies where feasible, to make loans as herein provided to the owners and tenants of property to finance the rehabilitation of such property. No loan shall be made under this section unless—

"(1) (A) the property is situated in an urban renewal area or an area in which a program of concentrated code enforcement activity is being carried out pursuant to section 117 of the Housing Act of 1949, and the rehabilitation is required to make the property conform to applicable code requirements or to carry out the objectives of the urban renewal plan for the area; or

"(B) (i) the property is in an area (other than an area described in subparagraph (A)) which the governing body of the locality has determined, and so certifies to the Secretary, contains a substantial number of structures in need of rehabilitation, (ii) there is in effect for the locality a workable program meeting the requirements of section 101 of the Housing Act of 1949, (iii) the property is in need of rehabilitation, and (iv) the area is scheduled for rehabilitation or concentrated code enforcement within a reasonable time, and the rehabilitation of this property is consistent with the plan for rehabilitation or code enforcement.

"(2) the applicant is unable to secure the necessary funds from other sources upon comparable terms and conditions; and

"(3) the loan is an acceptable risk taking into consideration the need for the rehabilitation, the security available for the loan, and the ability of the applicant to repay the loan."

SEC. 2. Section 115(a) of the Housing Act of 1949 is amended by inserting "(1)" after "(a)", and by adding at the end thereof a new paragraph as follows:

"(2) In addition to the authority conferred by paragraph (1), and notwithstanding any other provision of this title, the Secretary is authorized, through the utilization of local public agencies where feasible, to make grants (payable from any grant funds provided under section 103(b)) to an individual or family, as described in subsection (b), to cover the cost of repairs and improvements necessary to make a structure owned and occupied by such individual or family conform to public standards for decent, safe, and sanitary housing. No grants shall be made under this paragraph in the case of any property, unless (A) such property is in an area

emption of such agreements if approved by those agencies. With the possible exception of the Civil Aeronautics Board, it is clear that the agencies do not presently have authority to grant antitrust exemption to agreements involving carriers not subject to the regulation of the particular agency. The legislation we propose would remove this barrier to voluntary agreements between carriers of different types by authorizing them to enter into equipment interchange agreements subject to the approval of a Joint Board composed of one member each from the Civil Aeronautics Board, the Federal Maritime Commission, and the Interstate Commerce Commission. As with the present regulatory statutes, approval by the Joint Board would exempt actions taken pursuant to an agreement from the antitrust laws.

Although the legislation we propose suggests the Joint Board approach it is conceivable that some other alternative might be more appropriate. We would be happy to discuss this possibility with you at your convenience.

Very truly yours,

KENNETH R. HAUCK,  
Executive Secretary.

AMERICAN TRUCKING ASSOCIATION,  
Inc.,  
Washington, D.C., February 20, 1968.

HON. WARREN G. MAGNUSON,  
Chairman, Committee on Commerce,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR MAGNUSON: In transportation today, one of the most active topics of discussion is the coordination of the services of the various types of carriers. In this connection, I am familiar with the proposal of the Equipment Interchange Association for legislation which would authorize carriers subject to the various regulatory acts to enter into agreements with each other for the interchange of equipment.

There can be no question but that the benefits of coordination of the services of various types of carriers can only be achieved through interchange of equipment between and among those carriers.

The various transportation regulatory acts presently provide antitrust immunity for approved agreements between carriers subject to those individual acts, but there is no similar immunity for approved agreements between carriers subject to different acts. This hiatus stands as a very real obstacle to effective equipment interchange arrangements between carriers of different types, such as water carriers subject to the Federal Maritime Commission and surface carriers subject to the Interstate Commerce Commission.

It is my understanding that the proposal of the Equipment Interchange Association is designed to fill this gap by authorizing carriers to enter into equipment interchange agreements subject to approved regulatory agreements.

ATA fully supports the objectives of this proposal for, in our judgment, it is a necessary step toward better coordination among the several modes of transportation. And, as a step in that direction, we believe that the proposal is necessarily in the public interest.

Very truly yours,

W. A. BRESNAHAN.

THE CHESAPEAKE & OHIO RAILWAY  
Co.; THE BALTIMORE & OHIO  
RAILROAD Co.,  
Baltimore, Md., February 15, 1968.

HON. WARREN G. MAGNUSON,  
Chairman, Committee on Commerce, U.S.  
Senate, Washington, D.C.

SIR: The Equipment Interchange Association of Washington has drawn our attention to legislation they propose which would enable carriers of different modes to enter into

equipment interchange agreements with each other.

We are thoroughly familiar with the problem this proposal would correct and we endorse the EIA recommendations without reservation.

We believe the first step in securing coordination between the various forms of transportation is the ability to freely interchange our equipment. Passage of this legislation would permit the negotiation necessary for removal of obstacles in the path of effective and efficient equipment interchange.

We believe this proposal is definitely in the public interest and passage of this bill will speed up the coordination that all of us believe necessary for solution of today's complicated distribution problems.

Very truly yours,

E. W. WRIGHT,  
Vice President.

SOUTHERN PACIFIC Co.,  
San Francisco, Calif., February 21, 1968.  
Senator WARREN G. MAGNUSON,  
Chairman, Committee on Commerce,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR MAGNUSON: It is my understanding that the Equipment Interchange Association is proposing legislation to give anti-trust immunity to approved agreements between carriers subject to different regulatory acts. Such immunity already exists for approved agreements between carriers subject to the same act, and the proposal is but a logical and practical extension of the same reasoning and purpose.

The present lack of flexibility between different modes is an obstacle to the development of modern transportation techniques. Uniformity and coordination are essential and the proposal of the Equipment Interchange Association is a significant step in the right direction. It is in the public interest and Southern Pacific Company fully supports the objectives of the proposal.

Very truly yours,

ALAN C. FURTH.

AMERICAN PRESIDENT LINES, LTD.,  
San Francisco, February 2, 1968.

HON. WARREN G. MAGNUSON,  
Chairman, Committee on Commerce,  
U.S. Senate,  
Washington, D.C.

MY DEAR SENATOR MAGNUSON: The legislative proposal of the Equipment Interchange Association has my complete and enthusiastic support and I urge that you give your name to its sponsorship.

The E.I.A. bill reflects the desire of the various transportation modes to work together to achieve a more efficient economical transportation system that each is able to accomplish singly. The bill proposes to permit uniform equipment interchange agreements between carriers of the various modes and to provide anti-trust immunity to those carriers.

American President Lines has a rapidly growing containerization program. The proposed legislation will, in my opinion, be of inestimable value in bringing the economic benefits of containerization to the shipping public. I sincerely hope that you will give this measure your leadership and bring it to enactment as soon as possible.

Very truly yours,

RAYMOND W. ICKES.

MATSON, LINES,  
San Francisco, February 1, 1968.

HON. WARREN G. MAGNUSON,  
Chairman, Committee on Commerce,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR MAGNUSON: Matson Navigation Company supports the proposed "Equipment Interchange Act of 1968" for the reasons noted below.

As a pioneer in the development of container service to Hawaii and the Far East, Matson Navigation Company is interested in promoting efficient and economical intermodal movement of containers. Matson believes that there is considerable potential for increased through movement of containers between inland United States points and points in foreign countries. Containers will move by air or land transportation within the United States and within foreign countries and ocean transportation between American ports and foreign ports. Such intermodal movements of containerized cargo will be encouraged and made more flexible if the terms, conditions, and procedures for equipment interchange can be standardized. Standardization necessarily involves agreements among carriers which have some anti-competitive aspects.

Each of the federal regulatory agencies has jurisdiction and statutory authority to approve equipment interchange arrangements among carriers subject to its jurisdiction, but none has authority to approve and to grant antitrust immunity for arrangements among carriers by different modes who are regulated by different agencies. The proposed bill would fill this gap. It is significant that the joint board to be created would have authority only for approval of the equipment interchange agreements and would have no jurisdiction over rates. We believe the bill would be in the public interest and would serve to promote the foreign and interstate commerce of the United States.

Yours very truly,

CECIL J. RIVER.

#### S. 3135—INTRODUCTION OF BILL TO EXTEND THE AUTHORIZATION OF APPROPRIATIONS FOR THE COR- PORATION FOR PUBLIC BROAD- CASTING

MR. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Communications Act of 1934 by extending the authorization of appropriations for the Corporation for Public Broadcasting. I ask unanimous consent to have printed in the RECORD a letter from the Acting Secretary of Health, Education, and Welfare, requesting the proposed legislation.

THE VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 3135) to amend the Communications Act of 1934 by extending the authorization of appropriations for the Corporation for Public Broadcasting, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter, presented by Mr. MAGNUSON, is as follows:

DEPARTMENT OF HEALTH,  
EDUCATION, AND WELFARE,  
March 11, 1968.

HON. HUBERT H. HUMPHREY,  
President of the Senate,  
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a bill "To amend the Communications Act of 1934 by extending the authorization of appropriations for the Corporation for Public Broadcasting."

In view of the delay in the initiation of the Corporation's activities, it is unlikely that it would need or be able to use any appropriated funds this year. We anticipate, however, that it will begin to need and be able to use such funds in fiscal year 1969.

## S. 3134—INTRODUCTION OF EQUIPMENT INTERCHANGE ACT OF 1968

Mr. MAGNUSON. Mr. President, I introduce, by request, for appropriate reference, a bill to facilitate equipment interchange between and among the several modes of transportation. The purpose of this proposed Equipment Interchange Act of 1968 is to permit carriers of different types to enter into agreements with each other to establish uniform bases for the interchange between such carriers of units of transportation equipment, such as highway trailers, containers, or other freight carrying vehicles.

At present, the Interstate Commerce Act, Federal Aviation Act of 1958, and the Shipping Acts contain provisions for the submission of such cooperative agreements to the Interstate Commerce Commission, the Civil Aeronautics Board, and the Federal Maritime Commission by carriers subject to the separate jurisdiction of each agency. With the possible exception of the CAB, I am advised that these agencies do not presently have authority to grant antitrust exemption to agreements involving carriers not subject to the regulation of the particular agency.

This legislation will permit voluntary agreements between carriers of different types by authorizing them to enter into equipment interchange agreements subject to the approval of a joint board composed of one member each from the Civil Aeronautics Board, the Federal Maritime Commission, and the Interstate Commerce Commission. In accordance with present statutory provisions, the approval by the joint board of an equipment interchange agreement would exempt actions taken pursuant to such agreement from the antitrust laws. It should be noted that the joint board would have authority only for approval of the equipment interchange agreements, and would have no jurisdiction over intermodal rates.

This bill is introduced at the request of the Equipment Interchange Association, an organization representing motor, rail, and water carriers; American Trucking Associations, Inc.; Chesapeake & Ohio and Baltimore & Ohio Railroads; Southern Pacific Co.; American President Lines; Matson Lines; and Pacific American Steamship Association.

I am advised that this measure will remove an obstacle to effective and efficient equipment interchange and will promote coordinated freight transportation. Of particular interest, this bill might well assist our Nation's carriers in expanding exports to foreign nations, and in making America a land bridge for commerce between Asia and Europe.

I ask unanimous consent that a copy of the bill, and the letters of support from the various carriers be printed in the Record at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and letters will be printed in the Record.

The bill (S. 3134) to facilitate equipment interchange between and among the several modes of transportation, in-

troduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

## S. 3134

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

SECTION 1. This act may be cited as the Equipment Interchange Act of 1968.

## SEC. 2. Definitions.

The term "carrier" as used herein means a common carrier by railroad as defined in Part I of the Interstate Commerce Act, a common carrier by motor vehicle as defined in Part II of the Interstate Commerce Act, a common carrier by water as defined in Part III of the Interstate Commerce Act, a common carrier by water as defined in the Shipping Act, 1916 (46 U.S.C. 801), or in the Intercoastal Shipping Act, 1933 (46 U.S.C. 843), a direct air carrier subject to the Federal Aviation Act of 1958, and a transportation company located in a foreign country.

The term "antitrust law" as used herein has the meaning assigned to such term in section 1 of the Act entitled "an Act to supplement existing laws against unlawful restraints and monopolies and for other purposes," approved October 15, 1914 (15 U.S.C. 12), and amendments and acts supplementary thereto.

The term "equipment" as used herein shall include highway trailers, semi-trailers, or cargo containers of any type and/or related equipment.

The term "intermodal equipment interchange" as used herein shall include the tender, acceptance, possession, exchange, transfer, use, movement and return of equipment between carriers of different classes as defined in the first paragraph of this section.

SEC. 3. Any carrier or group of carriers may enter into an agreement with one or more carriers of another class, or a group of such carriers or groups of carriers, for the interchange of equipment between or among carriers or groups of carriers, and for the establishment of procedures to determine rates of compensation for interchange equipment and controlling rules and regulations, subject to approval as provided herein.

SEC. 4. (a) The Chairman of the Civil Aeronautics Board, the Federal Maritime Commission, and the Interstate Commerce Commission shall each appoint one member from their respective agencies to act as a Joint Board to consider and approve or disapprove agreements between carriers entered into pursuant to section 3 hereof. The Chairmen of the respective agencies may designate an alternate member to serve in case of the absence or disability of the original appointee. Two members of the Joint Board shall constitute a quorum and the affirmative vote of two members shall be required to approve or disapprove any agreement entered into pursuant to section 3. The Joint Board shall have a chairman and the chairmanship shall be rotated on a calendar year basis among the three agencies.

(b) Any agreement entered into pursuant to section 3 hereof shall be submitted to the Joint Board created by section 4(a) hereof and the Board shall by order approve such agreement if it finds that application of the relief provided by section 10 of this Act to the entering into and carrying out of such agreement will further the National Transportation Policy as declared in the Interstate Commerce Act. However, the Board shall not under this Act approve an agreement between or among carriers or groups of carriers of different classes unless it finds that such agreement is limited to the accomplishment of intermodal equipment interchange.

SEC. 5. For the purposes of this Act com-

mon carriers by railroad are carriers of one class; common carriers by motor vehicle are carriers of one class; common carriers by water are carriers of one class; direct air carriers are carriers of one class; and transportation companies located in a foreign country are carriers of one class.

SEC. 6. Each Conference, Bureau, Committee, or other organization established or continued pursuant to any agreement approved by the Joint Board under the provisions of this Act shall maintain such accounts, records, files, and memorandums and shall submit to the Joint Board such reports, as may be prescribed by the Board, and all such accounts, records, files, and memorandums shall be subject to inspection by the Board or its duly authorized representatives.

SEC. 7. No order shall be entered by the Joint Board under this Act until interested parties have been afforded reasonable opportunity for hearing.

SEC. 8. The Joint Board may, upon complaint or upon its own initiative, investigate to determine whether any agreement approved by it under this Act has continued to be in conformity with the standards set out in section 4 of this Act, and may by order terminate or modify its approval in order to assure compliance with such standards.

SEC. 9. The Joint Board shall not approve an agreement under this Act unless it finds that the agreement preserves to the parties thereto the right to enter into a different agreement with other such carriers.

SEC. 10. No provision of the Interstate Commerce Act, the Federal Aviation Act of 1958, the Shipping Act, 1916, or the Shipping Act, 1933, shall be construed as prohibiting procedures and agreements authorized by this Act, and every such procedure and agreement approved by the Joint Board is excepted from the operation of the antitrust laws.

The letters, presented by Mr. MAGNUSON, are as follows:

EQUIPMENT INTERCHANGE ASSOCIATION,  
Washington, D.C., February 7, 1968.

HON. WARREN G. MAGNUSON,  
Chairman, Committee on Commerce,  
U.S. Senate, Washington, D.C.

DEAR SENATOR MAGNUSON: The Equipment Interchange Association, an organization representing motor, rail and water carriers, insofar as the interchange of equipment between these modes is concerned, would appreciate very much your assistance in having the attached bill introduced by request in our behalf.

The purpose of the proposed legislation is to permit carriers of different types to enter into agreements with each other to establish uniform bases for the interchange between such carriers of units of transportation equipment, be they highway trailers, containers, or some other freight carrying vehicle.

While carriers of particular modes of transportation, e.g., motor carriers, presently have approved agreements covering the interchange of equipment between themselves, the existing regulatory statutes preclude the making of such agreements between carriers subject to different statutes. In other words, railroads, motor carriers and water carriers subject to the Interstate Commerce Act may presently enter into equipment interchange agreements, subject to the approval of the Interstate Commerce Commission. However, such carriers may not enter into agreements for the interchange of equipment with water carriers subject to the Federal Maritime Acts because any joint action to establish uniform rates of compensation for equipment used in interchange service could be construed as a violation of the antitrust law.

Each of the three regulatory statutes involved contains provisions for the submission of cooperative agreements to the respective agencies and for antitrust ex-



The enclosed draft bill would take cognizance of this situation by substituting for the present authorization of \$9,000,000 for fiscal year 1968 an authorization of a like amount of appropriations for fiscal year 1969. As the President indicated in his message on education, we will be working with the Secretary of the Treasury, the Director of the Bureau of the Budget and the Board of Directors of the Corporation for Public Broadcasting, as well as appropriate Congressional Committees, to formulate a long-range financing plan.

We should appreciate it if you would refer the enclosed draft bill to the appropriate committee for consideration.

We are advised by the Bureau of the Budget that enactment of this bill would be in accord with the program of the President.

Sincerely,

WILBUR J. COHEN,  
Acting Secretary.

### S. 3137—INTRODUCTION OF LAMB IMPORT QUOTA LEGISLATION

Mr. HANSEN. Mr. President, I introduce, for appropriate reference, a bill to impose quotas on the importation of lamb meat.

Last year, Senator HRUSKA assumed the leadership in the Senate by authoring a bill to revise the quota control system on the importation of certain meat and meat products. That bill, of which I am a cosponsor, does not deal with the importation of lamb meat.

I believe that it is dangerous to strengthen only parts of our importation law, leaving areas such as lamb meat unaffected. I am, therefore, offering this legislation at this time.

Essentially, this bill will limit the importation of lamb meat to an amount which is not greater than the yearly average which has been imported during the 5 calendar years previous to enactment of this bill. In addition, the bill provides that any purchases abroad of foreign lamb meat by the Department of Defense will be charged against the applicable quota.

In 1967, it was announced that the Defense Department had negotiated the procurement of 10 million pounds of lamb from New Zealand and Australia for use in Vietnam. Ten million pounds is a very large quantity in terms of the lamb industry. Vigorous protests against such activities were lodged with the Department of Defense by myself and other Senators. Since that time, the Department has assured us that the purchase was a unique one which would occur on a one-time-only basis.

Nevertheless, it would seem advisable to insure that any such future foreign purchases are brought under the quota-control system.

I need not give a recitation of the desperate economic plight which today faces most of our farmers and livestock producers. But I would point out to the Senate that lamb imports last year were higher than in any recent year except 1963. On the other side of the coin, the estimated average price per 100 pounds which the lamb producer receives today is 40 cents less than what he received in 1948.

Despite the fact that production costs have soared in the last 20 years, the livestock producers receive no more for their

products and for their labor and investments than they did in 1948.

The time of crisis for our livestock producers is currently at hand. The Congress must recognize the plight of the industry, or be prepared to see many of our producers go out of business in the near future.

In our Western States, several millions of acres of land are publicly owned. These lands are inadequately watered and usually covered with types of forage that is attractive only to sheep or cattle. If the sheep industry disappears from our Western scene, the public interest will suffer greatly.

Not only will these uninhabited lands be unused, but the vital tax base which supports our rural school districts and other units of government will disappear.

I urge that the Senate give consideration to this matter during the next session of Congress.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3137) to impose quotas on the importation of lamb meat, introduced by Mr. HANSEN, was received, read twice by its title, and referred to the Committee on Finance.

### CHANGE OF REFERENCE

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that the Committee on Armed Services be discharged from the consideration of S. 3053, for the relief of Sfc. Jack Owens, U.S. Army, and of the bill S. 2025, for the relief of Louis Winokur, and that these bills be rereferred to the Committee on the Judiciary, since they are in the nature of private relief measures.

The VICE PRESIDENT. Without objection, it is so ordered.

### ADDITIONAL COSPONSORS OF BILLS AND CONCURRENT RESOLUTION

Mr. BYRD of West Virginia. Mr. President, on behalf of the senior Senator from Massachusetts [Mr. KENNEDY] I ask unanimous consent that, at its next printing, the names of the senior Senator from Maryland [Mr. BREWSTER] and the junior Senator from Rhode Island [Mr. PELL] be added as cosponsors of the bill (S. 3052) to amend the Military Selective Service Act of 1967 to provide a fair and random system of selecting persons for induction into military service, to provide for the equal application of deferment policies, to authorize an investigation of the feasibility of establishing a volunteer army, and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President I also ask on behalf of the senior Senator from Massachusetts [Mr. KENNEDY] that, at its next printing, the name of the junior Senator from Indiana [Mr. BAYH] be added as cosponsor of the bill (S. 3045) to revise and extend section 317(a) of the Public Health Service Act to assure the continuation of various immunization programs authorized thereunder, and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I further ask unanimous consent on behalf of the senior Senator from Massachusetts [Mr. KENNEDY] that, at its next printing, the names of the junior Senator from Rhode Island [Mr. PELL] and the junior Senator from Wisconsin [Mr. NELSON] be added as cosponsors of the bill (S. 2889) to amend the Federal Power Act to facilitate the provision of reliable, abundant, and economical electric power supply by strengthening existing mechanisms for coordination of electric utility systems and encouraging the installation and use of the products of advancing technology with due regard for the preservation and enhancement of the environment and conservation of scenic, historic, recreational, and other natural resources.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, although the distinguished Senator from Pennsylvania [Mr. CLARK] is on the floor and could make the request for himself, he requested me to do so last week; however, I did not receive the request until Saturday, so I make it now.

On behalf of the senior Senator from Pennsylvania [Mr. CLARK] I ask unanimous consent that, at its next printing, the name of the junior Senator from Connecticut [Mr. RIBICOFF] be added as a cosponsor of the resolution (S. Con. Res. 47), known as the United Nations peacekeeping resolution.

The VICE PRESIDENT. Without objection, it is so ordered.

### ELIMINATION OF RESERVE REQUIREMENTS FOR FEDERAL RESERVE NOTES—AMENDMENTS

AMENDMENT NO. 608

Mr. CURTIS submitted amendments, intended to be proposed by him, to the bill (S. 2857) to eliminate the reserve requirements for Federal Reserve notes and for U.S. notes and Treasury notes of 1890, which were ordered to lie on the table and to be printed.

### ENROLLED BILL AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, March 11, 1968, he presented to the President of the United States the following enrolled bill and joint resolution:

S. 889. An act to designate the San Rafael Wilderness, Los Padres National Forest, in the State of California; and

S.J. Res. 123. Joint resolution to approve long-term contracts for delivery of water from Navajo Reservoir in the State of New Mexico, and for other purposes.

### NOTICE OF HEARINGS ON S. 356

Mr. PROXMIER. Mr. President, on Monday, March 25, the Subcommittee on Financial Institutions of the Committee on Banking and Currency will hold hearings on S. 356, a bill to permit the establishment and operation of certain branch offices of the Michigan National

Bank, Lansing, Mich. The hearings will begin in room 5302, New Senate Office Building at 10 a.m. Persons wishing to testify should contact Mr. Kenneth McLean, Committee on Banking and Currency, room 5306, New Senate Office Building.

#### WAIVER OF THE CALL OF THE CALENDAR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The PRESIDING OFFICER (Mr. MONROE in the chair). Without objection, it is so ordered.

#### VIETNAM

Mr. RIBICOFF. Mr. President, the reports we receive from Vietnam have increased our Nation's grave concern.

Our attention is fixed on Khe Sanh, where week after week our troops are enduring the incredible trial of artillery and fire, as they await what may be the toughest battle of the war.

Recently, we followed the course of the Tet offensive—the fighting that spread through the towns and cities of Vietnam. Now we watch to see how well the life of a torn country can be put back together again.

The figures used to calculate the number of dead and wounded, and the property destroyed, in no way measure the human misery and sorrow that remain. The pacification program has come to a standstill. More than 500,000 refugees, added to an uncertain but very large number, must now be cared for.

Against the background of these events, it appears that there are strong pressures for increasing U.S. troop strength in Vietnam. No one seems to be sure how many are involved—perhaps 50,000, perhaps 200,000, perhaps even more.

The substance of the rumors is familiar; for a heightened military commitment in Vietnam has repeatedly been the U.S. response to setbacks in the past.

The dates and details are history—history well known and widely reviewed. But the debate continues and intensifies.

The time has come for us to leave history to the historians. By now the lessons of the past should be firmly enough in mind. Now we should put them to good use while concentrating wholly on the problems of today. The most basic—the highest priority—matter before us is the possibility of a greater military commitment in Vietnam.

If the executive branch is considering a step that will mean greater military involvement in Vietnam, this matter should first be brought before the appropriate committees of the Senate. Both the Committee on Armed Services and the Committee on Foreign Relations should have sufficient time and be provided with ample information for a thorough review of any substantial change in policy. In March 1964, in an article about the legislative branch of the Government, I wrote:

Congress need not and should not be content simply to react to Presidential requests.

Congress should make its own independent assessments of the nation's problems and come up with its own answers.

Times have not changed my belief; for too often, and for a variety of reasons, this is not what happens.

Yet, for the strength and welfare of the country, we know that it must happen, especially when a major policy such as that in Vietnam is concerned.

This body and the people we represent are deeply concerned.

There are those who disapprove of the very fact of a military commitment in a distant land when our resources are badly needed at home.

Many question the sense, indeed, the morality, of destroying villages, towns and whole sections of cities and they question the argument that this is the way to "save" a nation.

Still others want an intensification of the bombing of North Vietnam and a widening of the war.

Certainly, everyone condemns the graft, corruption, and diversion of U.S.-financed commodities in Vietnam, just as each of us resents the fact that only this month are 19-year-olds for the first time being drafted into South Vietnam's military forces. The drafting of 18-year-olds is scheduled to begin on May 1. Although our own young men of this age have long served in Vietnam, it has taken years of prompting and prodding by the United States to bring about this change in the draft policy of South Vietnam.

Sometimes we cannot help but question the depth of the South Vietnamese people's commitment to their own cause. For we know that the war is their war, that the United States can offer only so much help, and in the long run, the South Vietnamese must win the fight in social, political, and economic terms.

All of us are aware that no one wants peace more urgently than the President. We applaud his efforts. We hope that he will pursue every approach to peace with any—even the remotest—possibility of success.

Our goal is negotiations and an honorable settlement.

Let us move with imagination and persistence along many paths at once.

Last November, the Senate unanimously passed a resolution urging the President to press hard to bring Vietnam before the Security Council. I hope that he will renew and redouble his efforts in this cause.

Let us try restricting the bombing of the North to those targets that will protect the lives and safety of our troops. The bombing of civilian centers and the area just south of the China border contributes neither to the protection of our men nor to the security in South Vietnam.

Negotiations imply compromise on both sides. We have assurances from Secretary General U Thant and others that a halt in the bombing will bring negotiations. We should test these assurances in concrete terms.

I think the distinguished majority leader, Senator MANSFIELD, showed his usual wisdom when last Thursday, on the floor of the Senate, he suggested:

Let us play down a military solution to the war and play up the possibility of an

honorable, negotiated settlement. Let us give the most serious consideration to U Thant's proposal, and let North Vietnam give the most serious consideration to our fourteen proposals. And let us give the most serious consideration to their four points. Let us jell the two together, and let us sit down and discuss these conditions and points of view. Let us put U Thant, as Secretary General of the United Nations, in the role of chief negotiator, as the honest broker. Surely such a procedure, or one along similar lines, would be far more preferable to more men, more ships, more taxes, more regulations, more war.

Also, I would again call attention to my proposal of February 1966. At that time I urged the President to name a date and a place and invite all interested parties to participate in a preliminary conference on the war in Vietnam. This proposal remains as valid today as it was then.

So far, our search for peace has not borne success.

This does not mean that we should give the search less emphasis. The stakes have never been higher. We must strengthen, continue, and expand our search.

We must be on our guard to keep pessimism from ruling our judgment. It will be a tragedy for our Nation and the world if our military policy stays the promise of a possible approach to negotiations, settlement, and an end to this tragic war.

#### MEDICAL EXPERIMENTATION ON HUMAN BEINGS

Mr. JAVITS. Mr. President, at my request, the Legislative Reference Service of the Library of Congress prepared a study on medical experimentation on human beings. With my permission, this material served as the basis for the Michigan Society of Pathologists Carl V. Welker lecture on "Volunteer Participation in Clinical Investigation," delivered by Dr. Frank W. Hartman, medical research adviser, Office of the Surgeon General, U.S. Air Force, and Dr. Freeman H. Quimby, specialist in science and technology, Science Policy Research Division of the Library of Congress.

With the expansion of scientific research to the point where more than \$2 billion of medical research alone is conducted annually in this Nation, it is most important that every possible care be exercised to protect the rights of the individual who, as a subject, might be involved.

I ask unanimous consent that the lecture, which contains the essentials of the Library of Congress study, to which I have referred, be printed at this point in the RECORD.

There being no objection, the lecture was ordered to be printed in the RECORD, as follows:

#### VOLUNTEER PARTICIPATION IN CLINICAL INVESTIGATION

(By Frank W. Hartman, M.D., Medical Research Advisor, Office of the Surgeon General, U.S. Air Force, and Freeman H. Quimby, Ph. D., specialist in science and technology, Science Policy Research Division, Library of Congress, presented December 9, 1967. Based in part upon a report prepared by the Library of Congress for Senator JACOB JAVITS, of New York)

#### INTRODUCTION

I attended the Chicago Meeting of the "National Society for Medical Research" in